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EXAMINER

PHAM, THIERRY L

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2625

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/649,883

Applicant(s)

LEASON, DAVID

Examiner

Thierry L. Pham

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

- This action is responsive to the following communication: an Amendment filed on 9/17/07.
- Claims 1-2, 4-21 are currently pending, wherein claims 20-21 are newly added; claim 3 has been canceled.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 & 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear whether "bin" and "tray" as cited in claims 1 & 14 are meant the same thing. Clarification is required. In addition, the examiner is unclear whether a single bin or a single tray is for storing both paper bin media and optical disc or each media is accommodating by a different tray or bin. For broadest interpretations, the examiner herein assumes these two medias are separately stored in two different trays/bins.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sekikawa (US 6498658), and in view of Cummins et al (US 6760052).

Regarding claim 1, Sekikawa discloses an a digital copier machine (copy machine, fig. 2) of the type including a platen (inherently, all digital copy machine includes a platen glass

surface for scanning) for capturing a source document in the form of digital data representative of the source document and including at least one paper bin (figs. 26-27) for supplying paper onto which the digital data can be transformed into a printed image in response to signals issuing from a control unit based on selections made at an interface, the improvement comprising:

- a tray sized (inherently, all copy machine includes a paper tray for occupying paper media) and positioned in the digital copier machine so as to occupy a space ordinary reserved for the at least one paper bin, the bin including:
- a drive unit (plurality of different output ports including memory card reader port, fig. 3b) connectable to the control unit and configured to removably receive a removable digital storage medium (e.g. memory card, fig. 3b & 18) and further configured to perform read and write operations on any removable digital storage medium received therein;
- a selector (selector interface, fig. 18) on the interface; and
- operational logic (fig. 18 shows an example of selection an output port for outputting image data) responsive to a user selection of the selector to issue the load drive unit signal and to convey the digital data between the control unit of the digital copier machine and the drive unit.

However, Sekikawa fails to teach and/or suggest a tray/bin for occupying a removable digital media in the form of optical discs and a picker configured to deliver the removable digital storage medium from a supply of a plurality of removable digital storage media to the drive unit in response to a load drive unit signal.

Cummins, in the same field of endeavor for printing (printer or image forming apparatus, fig. 9), teaches a well-known example a tray/bin for occupying a removable digital storage medium (optical discs tray 30, fig. 4) of a picker (fig. 4 & 9, col. 1, lines 50-55) configured to deliver the removable digital storage medium from a supply of a plurality of removable digital storage media (e.g. plurality of CD-R medias, fig. 3, 9-10) to the drive unit in response to a load drive unit signal.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify copy machine of Sekikawa to include a optical discs

tray/bin and to include picker configured to deliver the removable digital storage medium from a supply of a plurality of removable digital storage media to the drive unit in response to a load drive unit signal as taught by Cummins because of a following reason: (●) to eliminate separate mountings, and makes the assembly much more compact and also increases reliability (col. 2, lines 30-40); (●) having plurality of removable digital storage media in the media supply helps improving system efficiency (e.g. without having to load a storage media each time a print job is issued, therefore, save costs and time); (●) allowing the users/operators an option to choose which media (either paper media or optical disc) for storing the scanned documents.

Therefore, it would have been obvious to combine Sekikawa with Cummins to obtain the invention as specified in claim 1.

Regarding claim 2, Sekikawa further teaches the digital copier machine of claim 1, wherein the drive unit receives removable digital storage media through either of first and second accesses (fig. 19), the first access being positioned within the tray and the second access being in the wall of the tray, the picker supplying media to be received at the first access and a user supplying media to be received at the second access (different output can be selected, fig. 19), the first and second accesses being different than one another.

Regarding claim 4, Sekikawa further teaches the digital copier machine of claim 1, wherein the operational logic comprises an executing software program (software interface, fig. 19).

Regarding claim 5, Sekikawa further teaches the digital copier machine of claim 1, wherein the load drive unit signal is issued by the control unit (control panel, fig. 2).

Regarding claim 6, Sekikawa further teaches the digital copier machine of claim 1, wherein the load drive unit signal is issued by the drive unit (fig. 19).

Regarding claim 7, Cummins further teaches the digital copier machine of claim 1, wherein the picker is centrally positioned (fig. 9) relative to plural supplies of respective pluralities of removable digital storage media.

Regarding claim 8, Cummins further teaches the digital copier machine of claim 7, further comprising a base plate (ref. 12, fig. 9) configured to seat at least one of the plural supplies.

Regarding claim 9, Cummins further teaches the digital copier machine of claim 8, wherein the base plate is configured to seat two or more of the plural supplies (plurality of blank CD, fig. 9).

Regarding claim 10, Cummins further teaches the digital copier machine of claim 9, wherein the base plate is configured to seat the plural supplies in vertical stacks (vertical stack, fig. 9).

Regarding claim 11, Cummins further teaches the digital copier machine of claim 10, further comprising a lift operative to simultaneously elevate the vertical stacks (fig. 9) of removable digital storage media in each of the supplies.

Regarding claim 12, Cummins further teaches the digital copier machine of claim 11, wherein the picker is governed by the operational logic to respond to the load drive unit signal so as to deliver removable digital storage media from each of the supplies such that the count of removable digital storage media in the vertical stacks of each supply is within a prescribed tolerance (fig. 9, col. 2, lines 17-40).

Regarding claim 13, Cummins further teaches the digital copier machine of claim 12, wherein the prescribed tolerance is four removable digital storage media (fig. 9 shows

an example of plurality of blank disc stacked in vertical arrangement ranging from 1 to its tolerance limit).

Regarding claim 14, Sekikawa discloses a method for controlling a job output of a digital copier machine (copy machine, fig. 2) of the type including a platen for capturing a source document in the form of digital data representative of the source document and including at least one paper bin for supplying paper onto which the digital data can be transformed into a printed image as an output medium, comprising the steps of: providing a user interface (user interface, fig. 18) having a display and a set of entry options, one of the entry options permitting a user to select the output medium for the job (selecting outputting options, fig. 18); receiving (via control panel interface, fig. 18) a user selection through the user interface, the user selection setting the output medium for the job to be a removable digital storage medium (memory card, fig. 18); supplying the removable storage medium (inherently, all copy machine includes a paper tray for occupying paper media) from a supply contained in a tray which is sized and positioned in the digital copier machine so as to occupy a space ordinarily reserved for the at least one paper bin; and transferring a copy of the source document to the removable digital storage medium (fig. 18) in the drive unit.

Sekikawa fails to teach and/or suggest a media tray/bin for storing optical discs and to automatically loading the removable digital storage medium from a supply onto a drive unit in response to the user selection, ejecting the digital storage medium from the drive unit into a return for retrieval from the tray.

Cummins, in the same field of endeavor for printing, teaches a media tray/bin (optical discs tray 30, fig. 4) for storing optical discs and to automatically loading the removable digital storage medium from a supply (fig. 9) onto a drive unit in response to the user selection, ejecting (fig. 10) the digital storage medium from the drive unit into a return for retrieval from the tray.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify copy machine of Sekikawa to automatically loading the removable digital storage medium from a supply (fig. 9) onto a drive unit in response to

the user selection as taught by Cummins because of a following reason: (●) to eliminate separate mountings, and makes the assembly much more compact and also increases reliability (col. 2, lines 30-40); (●) having plurality of removable digital storage media in the media supply helps improving system efficiency (e.g. without having to load a storage media each time a print job is issued, therefore, save costs and time); (●) allowing the users/operators an option to choose which media (either paper media or optical disc) for storing the scanned documents.

Therefore, it would have been obvious to combine Sekikawa with Cummins to obtain the invention as specified in claim 14.

Regarding claim 15, Sekikawa further teaches the method of claim 14, including the additional step of processing the source document into a digital document format (col. 4, lines 50-55) representative of the image on the source document.

Regarding claims 16-17, Sekikawa further teaches the method of claim 15, including the additional step of processing the digital document format into a file format suitable (prior to store any image or data into a memory card or blank CD, all data must be converted into a digital format, col. 4, lines 50-55) for writing to the removable digital storage medium.

Regarding claim 18, Sekikawa further teaches the method of claim 14, including the additional steps of transferring a job identifier (e.g. all document must contains name or some kind of identifier) to the drive unit and writing data onto the removable digital storage medium that concerns the job identifier.

Regarding claim 19, Cummins further teaches the method of claim 14, including the additional step of adding visible indicia (label, abstract and col. 2, lines 17-40) to the exterior surface of the removable digital storage medium, the visible indicia including a job identifier.

Regarding claim 20 recite limitations that are similar and in the same scope of invention as to those in claim 1; therefore, claim 20 is rejected for the same rejection rationale/basis as described in claim 1.

Regarding claim 21, Cummins further teaches the digital copier machine of claim 20, wherein the operation logic is further configured to issue subsequent load drive unit signals if the volume of digital data conveyed between the control unit and the drive unit exceeds the capacity of a first optical disc loaded in the optical drive unit (col. 7, lines 30-65).

Response to Arguments

Applicant's arguments with respect to claims 1 & 14 have been considered but are moot in view of the new ground(s) of rejection via using previous applied prior arts of record due to newly added features/limitations (e.g. tray and/or bin for storing optical discs). In other words, the applicant argued the cited prior art of record fails to teach and/or suggest the newly added features/limitations as cited in claims 1 & 14. However, upon further consideration of previous applied arts, the examiner found that the prior arts still teaches the newly added features/limitations as cited in claims 1 & 14 (see rejection for more details).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L. Pham whose telephone number is (571) 272-7439. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thierry L. Pham


GABRIEL GARCIA
PRIMARY EXAMINER